

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

|                                  |   |                      |
|----------------------------------|---|----------------------|
| In the Matter of                 | ) |                      |
|                                  | ) |                      |
| Revision of the Commission's     | ) |                      |
| Rules to Ensure Compatibility    | ) | CC Docket No. 94-102 |
| with Enhanced 911 Emergency      | ) |                      |
| Calling Systems                  | ) |                      |
| <br>VoiceStream Wireless Request | ) |                      |
| for Limited Modification of E911 | ) |                      |
| Phase II Implementation Plan     | ) |                      |

**COMMENTS OF NENA, APCO AND NASNA**

The National Emergency Number Association (“NENA”), the Association of Public-Safety Communications Officials-International, Inc. (“APCO”) and the National Association of State Nine One One Administrators (“NASNA”) (collectively, “Public Safety Organizations”) hereby comment on the captioned request.<sup>1</sup>

At the outset, we express our appreciation for the extent to which VoiceStream has attempted to keep the Public Safety Organizations and the Commission (Request, notes 18 and 32) apprised of the status of wireless E9-1-1 implementation. At the same time, we are conscious of the concerns expressed by several of the other “national” carriers that waiver standards be as uniform as possible, in content and application.<sup>2</sup>

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<sup>1</sup> The grant of waiver VoiceStream seeks to modify remains subject to APCO’s Petition for Reconsideration. These comments do not address that open matter. Neither should they be construed as any change in APCO’s previously expressed views on the initial waiver grant.

<sup>2</sup> See, e.g., the pending Petitions for Reconsideration of Nextel, Cingular and Verizon, all filed November 13, 2001.

According to VoiceStream (Request, 4)

specification development, lab and field testing of software and hardware, and establishment of interoperability among three network and three primary handset manufacturers have all required more time than VoiceStream and the vendors anticipated.

We are not capable of evaluating the relative contributions to the delays of VoiceStream and its vendors. This is a particular example of a problem that is awaiting general investigation in the “Hatfield inquiry,” promised by the Commission two months ago but not yet launched.<sup>3</sup>

In the spirit of parity of treatment among VoiceStream and its national rivals, we suggest that the Request be referred to the Enforcement Bureau, in the same fashion forecast by the Commission in conditioning the waivers granted wholly or partly to AT&T, Cingular, Nextel, Sprint and Verizon last October.<sup>4</sup> As the Public Safety Organizations have made clear in their comments on the three Petitions for Reconsideration of those grants, any such referral should be with full regard for due process to VoiceStream.<sup>5</sup>

In the same spirit, we suggest the Commission revise the VoiceStream implementation reporting period from semi-annually to quarterly, in line with the conditions imposed in the October waiver grants to the other five national carriers. The reports should carry the same

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<sup>3</sup> News release, November 20, 2001: “The inquiry will evaluate information from technology vendors, network equipment and handset manufacturers, carriers and the public safety community concerning technology standards issues, development of hardware and software, and supply conditions.” The Public Safety Organizations urge the Commission to get on with this important undertaking.

<sup>4</sup> *See, generally*, news release dated October 5, 2001, referring to separate grants for each carrier. Certain aspects of the AT&T and Cingular waiver requests were referred to enforcement.

<sup>5</sup> Oppositions of December 19, 2001.

specifications for content and for service on public safety parties as applied in the October conditions.

For all these reasons, we ask that the VoiceStream Request be referred to the Enforcement Bureau and, upon review, that the reporting conditions be modified to equivalence with those applied to the other national carriers. Separately, we urge that the Commission open promptly and proceed with deliberate speed through the Hatfield inquiry.

Respectfully submitted,

NENA, APCO AND NASNA

By \_\_\_\_\_  
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January 22, 2002

### **Certificate of Service**

The foregoing "Comments of NENA, APCO and NASNA" have been mailed today to

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January 22, 2002

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